

Atty. Ref. No. 81.010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Corbett T. Hefner Art Unit: 3727
Serial No.: 09/835,933 Examiner: Hylton, Robin A.
Filing Date: April 16, 2001 Conf. No.: 9053
Title: *Composite Breathable Produce Bag*
Atty. Docket: 81.010 Cust. No.: 23598

DECLARATION OF SCOTT ERICKSON UNDER 37 C.F.R. § 1.132

Mail Stop FEE/AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Scott Erickson, declare as follows:

1. I am the Vice President of Sales of Volm Bag Inc. and have held an executive position with the company since 1997.
2. Volm Bag Inc. is the corporate parent of the assignee of the above captioned matter.
3. I am familiar with the subject matter of the above-identified patent application and the product produced and marketed based on the disclosure of the patent application.
4. The invention of the above captioned application was disclosed by market introduction of the product in late 2001.
5. After introducing the product to the market, a short duration thereafter, I became aware of competitors copying of the Volm Bag Inc. product.
6. I am aware of five competitors who have produced copying products since the introduction of the Volm Bag Inc. product associated with the above captioned application.

Declaration of Scott Erickson Under 37 CFR §1.131

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I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,


Scott EricksonDated: 6/30/06